

APPLICANT(S): ARIDOR, Yariv *et al.*
SERIAL NO.: 10/620,631
FILED: July 16, 2003
Page 11

REMARKS

Applicants assert that the present invention is new, non-obvious and useful. Applicants respectfully request reconsideration of the above-identified application in view of the foregoing amendments and following remarks.

Status of Claims

Claims 1-25 are pending in the application. Claims 1-24 have been amended. Claim 25 has been added. Applicants respectfully assert that the amendments to the claims add no new matter.

The Telephone Interview

Applicants wish to thank the Examiner, Nathan E. Price, for granting and attending the telephone Interview on May 16, 2007 with Applicants' representatives. Proposed amendments to the independent claims were discussed, including the addition of a new independent claim. Those proposed amendments are reflected in the Listing of Claims submitted herein.

In the interview, the Examiner indicated that subject matter corresponding to the independent claims, as amended herein, meets the statutory requirements of 35 U.S.C. §101. The Examiner also indicated that the features of the independent claims, as amended herein, would distinguish over the references of Carlson and Choquier (discussed below with reference to the 35 U.S.C. §103 rejection), but that further search and consideration might be required. Accordingly, this Amendment is being filed in conjunction with a Request for Continued Examination.

APPLICANT(S): ARIDOR, Yariv *et al.*
SERIAL NO.: 10/620,631
FILED: July 16, 2003
Page 12

Claim Objections

In the Office Action, the Examiner objected to claim 24 because of alleged informalities under 35 U.S.C. § 101. Claim 24 has been amended in order to more clearly indicate that it is directed towards statutory subject matter. Accordingly, Applicants request withdrawal of the objection.

CLAIM REJECTIONS

35 U.S.C. § 112 Rejections

In the Office Action, the Examiner rejected claims 1-21 under 35 U.S.C. §112, second paragraph, as being indefinite regarding which interface is referenced by “the interface” in independent claim 1.

Independent claim 1, as amended herein, no longer recites “the interface”. Accordingly, Applicants respectfully assert that the amendments to independent claim 1 render claims 1-21 proper under 35 U.S.C. §112 and request that the rejections be withdrawn.

35 U.S.C. § 101 Rejections

In the Office Action, the Examiner rejected claims 1-23 under 35 U.S.C. §101 as not directed to statutory subject matter.

Applicants respectfully assert that amended independent claims 1 and 22, as well as independent claim 24 and new independent method claim 25, are directed to statutory subject matter under 35 U.S.C. §101, as agreed in the telephone Interview. For example, amended independent claim 1 is directed to “a management server to execute a computer-implemented

APPLICANT(S): ARIDOR, Yariv *et al.*
SERIAL NO.: 10/620,631
FILED: July 16, 2003
Page 13

framework for managing application complexes”; and amended independent claim 22 is directed to “a machine-readable memory storing an object-oriented data structure to be implemented by a framework executable by a management server”.

In view of the above, Applicants respectfully request that the rejection of claims 1-23 under 35 U.S.C. §101 be withdrawn.

35 U.S.C. § 103 Rejections

In the Office Action, the Examiner rejected claims 1-24 under 35 U.S.C. §103(a), as being unpatentable over Carlson (US Patent 6,697 849) in view of Choquier *et al.* (US Patent 5,951,694).

As agreed in the telephone Interview, independent claims 1, 22, and 24, as currently amended, include features that are not taught or suggested by the references of Carlson and Choquier, individually or in combination. For example, none of the cited references, taken individually or in combination, teach or suggest at least the claimed feature “wherein the framework is capable of managing multiple application complexes of different types”, as recited in amended independent claims 1, 22, and 24. Accordingly, Applicants respectfully request that the rejection of claims 1-24 under 35 U.S.C. §103 be withdrawn.

In view of the above, Applicants respectfully submit that amended independent claims 1, 22, and 24 are patentable over the cited references. In addition, it is respectfully submitted that claims 2-21 and 23 are likewise patentable at least by their dependency from amended claims 1 and 22, respectively. Applicants further submit that new independent claim 25 is patentable over the prior art of record.

APPLICANT(S): ARIDOR, Yariv *et al.*
SERIAL NO.: 10/620,631
FILED: July 16, 2003
Page 14

Conclusion

In view of the foregoing amendments and remarks, Applicants submit that the pending claims distinguish over the prior art of record and are in condition for allowance. Favorable consideration and passage to issue are therefore respectfully requested.

The Examiner is invited to telephone the undersigned counsel to discuss any further issues yet to be resolved in connection with this application.

Please charge any fees associated with this response to Deposit Account 09-0468.

Respectfully submitted,

By: /Suzanne Erez/
Suzanne Erez
Reg. No. 46,688
Phone No. (972) 4-829-6069

Date: 19 June 2007
IBM Corporation
Intellectual Property Law Dept.
P. O. Box 218
Yorktown Heights, New York 10598